

MAP REF 4B
E.D. 15
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86-310-A
#208



86-310-A
#208

Sylvan H. Sach, et al, 86-310-A
Pulaski Highway (7947 Pulaski Highway)
15th Dist.

IN RE: PETITION ZONING VARIANCES
Beginning at the SE corner of
Chesaco Avenue and Pulaski
Highway (7947 Pulaski Highway) - 15th Election District
Sylvan H. Sach, et al,
Petitioners
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a front yard setback of 18 feet instead of the required 50 feet, a side yard setback of 8 feet instead of the required 30 feet, a rear yard setback of 10 feet instead of the required 30 feet, and a setback of 4 feet instead of the required 8 feet from the street right of way line, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by Betty Bavar, mother and Trustee of Beth Jean Bavar and Robert H. Bavar, appeared and was represented by Counsel. Joseph Larson, a registered engineer, and Warren Patterson, a registered architect in Virginia, also appeared on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, zoned B.R. and containing one-half of an acre, is long and narrow in shape and is bounded by Pulaski Highway to the north, Chesaco Avenue to the east, and Shirley Avenue to the south. To the west is an existing commercial property. A 29' x 43' dwelling is located on the west side of the property and a vacant building is on the east side of the property. A 46' x 39' addition is proposed to be attached to the existing dwelling which is to be remodeled and used as a real estate office. In order to utilize this site for just about anything, variances would

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.1 to allow a front yard setback of 18' from Pulaski Highway for the side of the building in lieu of the required 50' from Pulaski Highway, to allow side and rear yard setbacks of 8' and 10' in lieu of the required 30'; from Section 409.2c, (4) for a setback of 4' in lieu of the required 8'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Use of existing building and enlargement thereon necessitate variance due to configuration of existing building and of parcel.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: V. Wesley Foster, Jr. (Type or Print Name) Signature 3918 Prosperity Avenue Address Fairfax, VA 22031 City and State	Legal Owner(s): Sylvan H. Sach, Peth Jean Bavar (Type or Print Name) Robert A. Bavar Signature (Type or Print Name) Signature City and State
Attorney for Petitioner: John B. Contrum (Type or Print Name) Signature 809 Eastern Blvd. Address Baltimore, Md. 21221 City and State Attorney's Telephone No.: 686-8274	Name, address and phone number of legal owner, contract purchaser or representative to be contacted John B. Contrum 809 Eastern Blvd. 686-8274 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of February, 1986, at 10:00 o'clock

Carl John
Zoning Commissioner of Baltimore County.

(over)

be required. Here, the remodeled office and addition will be set back 18 feet instead of the required 50 feet from Pulaski Highway, 10 feet instead of the required 30 feet from the southwest property line, and 8 feet instead of the required 30 feet from Shirley Avenue.

The proposed real estate office will front on the parking area and face Chesaco Avenue. It is a long-standing policy of the Zoning Commissioner to require that the side yard setback to the side street be the same as the front yard setback required for that particular zone when the building faces in a direction other than towards a side street. Therefore, the Petitioners are requesting a setback of 18 feet instead of the required 50 feet from the Pulaski Highway property line because it is a dual highway. The required side and rear yard setbacks in a B.R. are 30 feet. In addition, the Petitioners request a setback of 4 feet instead of the required 8 feet from the Pulaski Highway right of way line for the parking area.

The Petitioners seek relief from Sections 238.1, 238.2 and 409.2c.(4), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- 2 -

ORDER RECEIVED FOR FILING
DATE January 25 1986
BY *Carl John*

SPELLMAN, LARSON & ASSOCIATES, INC.
SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH P. LARSON
LOUIS J. PASECH, P.E.
ALBERT RENEY

DESCRIPTION FOR ZONING, NO. 7947 PULASKI HIGHWAY, 15TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at the corner formed by the intersection of the Southwest side of Chesaco Avenue, 40 feet wide, and the Southeast side of Pulaski Highway (U.S. Route No. 40), 150 feet wide, and running thence and binding on the Southeast side of Pulaski Highway South 68 Degrees 57 Minutes 13 Seconds West 397.65 feet thence leaving the Southeast side of Pulaski Highway and running South 50 Degrees 03 Minutes 18 Seconds East 74.03 feet to the Northwest side of Shirley Avenue, 30 feet wide, and running thence and binding on the Northwest side of Shirley Avenue North 53 Degrees 50 Minutes 42 Seconds East 211.57 feet Northeasterly by a curve to the left with a radius of 2276.83 feet the distance of 105.97 feet and North 51 Degrees 16 Minutes 22 Seconds East 81.33 feet to the Southwest side of Chesaco Avenue herein referred to and running thence and binding on the Southwest side of Chesaco Avenue Northwesterly by a curve to the left with a radius of 1033.70 feet the distance of 33.17 feet to the place of beginning.

Containing 0.51 acres of land, more or less.

11/14/85



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN - LAND SURVEYING
LAND PLANNING - SUBDIVISION LAYOUT - FEASIBILITY STUDIES - ESTIMATING
GRADING STUDIES - LOCATION SURVEYS - TECHNICAL CONSULTATION

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of February, 1986, that the Petition for Zoning Variances to permit a front yard setback of 18 feet instead of the required 50 feet, a side yard setback of 8 feet instead of the required 30 feet, a rear yard setback of 10 feet instead of the required 30 feet, and a setback of 4 feet instead of the required 8 feet from the street right of way line be and is GRANTED, from and after the date of this Order, subject to the following:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for

- 3 -

ORDER RECEIVED FOR FILING
DATE January 25 1986
BY *Carl John*

PETITION FOR ZONING VARIANCES
15th Election District

LOCATION: Beginning at Southeast Corner of Chesaco Avenue and Pulaski Highway (7947 Pulaski Highway)

DATE AND TIME: Wednesday, February 19, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a front yard setback of 18 feet from Pulaski Highway for the side of the building in lieu of the required 50 feet, to permit side and rear yard setbacks of 8 feet and 10 feet in lieu of the required 30 feet; and to permit a setback of 4 feet in lieu of the required 8 feet for parking spaces.

Being the property of Sylvan H. Sach, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES
Beginning SE/Corner Chesaco
Ave. & Pulaski Hwy. (7947
Pulaski Hwy.), 15th District
SYLVAN H. SACH, et al.,
Petitioners
Case No. 86-310-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, 809 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioners; and Mr. P. Wesley Foster, Jr., 3918 Prosperity Ave., Fairfax, VA 22031, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

January 17, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
Beg. @ SE/Cor. of Chesaco Ave. and Pulaski Highway
(7947 Pulaski Highway)
SYLVAN H. SACH, et al. - Petitioners
Case No. 86-310-A

TIME: 10:00 a.m.

DATE: Wednesday, February 19, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012383

DATE 1/25/86 ACCOUNT 21-615-000

AMOUNT \$ 100.00

RECEIVED FROM *Ronald K. Confran, Hanover*

FOR: Variance # 208

B 8054*****1000014 2258F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 3, 1986

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCES
Beg. @ SE/Cor. Chesaco Ave. and Pulaski Highway
(7947 Pulaski Highway)
15th Election District
SYLVAN H. SACH, et al. - Petitioners
Case No. 86-310-A

Dear Mr. Gontrum:

This is to advise you that \$64.10 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018599

DATE 2/11/86 ACCOUNT 21-615-000

AMOUNT \$ 64.10

RECEIVED FROM *John B. Gontrum, Esq.*

FOR: *Advertising Posting 86-310-A*

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO: Zoning Commissioner

Date: January 31, 1986

FROM: Norman E. Gerber, AICP, Director

Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-305-A, 86-306-A, 86-310-A and 86-312-A

There are no comprehensive planning factors requiring comment on these petitions.

NEG:JGH:sjm

Norman E. Gerber
Norman E. Gerber, AICP
Director

PETITION FOR ZONING VARIANCES
15th Election District
LOCATION: Beginning at South
and Corner of Chesaco Avenue and
Pulaski Highway (7947 Pulaski
Highway)
DATE AND TIME: Wednesday, Feb-
ruary 19, 1986, at 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Bal-
timore County, by authority of the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing
on a Petition for Zoning Variance to al-
low a front yard setback of 15 feet from
Pulaski Highway for the side of the
building in lot of 50 feet, to allow side
and rear yard setbacks of 5 feet and 10
feet in lot of 30 feet, to allow for a
setback of 4 feet in lot of 5 feet.
Being the property of SYLVAN H.
SACH, et al., as shown on plat plan filed
in the event that this Petition is
granted, a building permit may be is-
sued within the thirty (30) day appeal
period. The Zoning Commissioner will,
however, entertain any request for a
stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing
set above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 30.

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 30, 1986
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 30, 1986.

THE JEFFERSONIAN,

78 Kentish

Publisher

Cost of Advertising

27.50

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., January 30, 1986
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 30, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

27.50

PETITION FOR ZONING VARIANCES
15th Election District
LOCATION: Beginning at South
Corner of Chesaco Avenue and
Pulaski Highway (7947 Pulaski
Highway)
DATE AND TIME: Wednesday,
February 19, 1986, at 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Bal-
timore County, by authority of the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing
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low a front yard setback of 15 feet
from Pulaski Highway for the side of
the building in lot of 50 feet, to al-
low side and rear yard setbacks of 5
feet and 10 feet in lot of 30 feet, to
allow for a setback of 4 feet in lot
of 5 feet.
Being the property of SYLVAN H.
SACH, et al., as shown on plat plan fi-
led with the Zoning Office.
In the event that this Petition is
granted, a building permit may be is-
sued within the thirty (30) day appeal
period. The Zoning Commissioner will,
however, entertain any request for a
stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing
set above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 30.

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle
38 N. Dundalk Ave.
Dundalk, Md. 21222
January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #73250 - Reg. # L84176 - 79 Lines @ \$31.60. was inserted in The Dundalk Eagle a weekly news- paper published in Baltimore County, Maryland, once a week for one successive weeks before the 31st day of January 1986; that is to say, the same was inserted in the issues of Jan. 30, 1986

Kimbel Publication, Inc.

per Publisher.

By *L.C. Oller*

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle
38 N. Dundalk Ave.
Dundalk, Md. 21222
January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #73250 - Reg. # L84176 - 79 Lines @ \$31.60. was inserted in The Dundalk Eagle a weekly news- paper published in Baltimore County, Maryland, once a week for one successive weeks before the 31st day of January 1986; that is to say, the same was inserted in the issues of Jan. 30, 1986

Kimbel Publication, Inc.

per Publisher.

By *L.C. Oller*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 1/24/86
Posted for: Variance
Petitioner: SYLVAN H. SACH, et al.
Location of property: 7947 Pulaski Hwy.
Location of Sign: Facing Pulaski Hwy, approx. 10' from side of road, at lot corner.
Remarks: Approx. 300' W. Chesapeake Ave.
Posted by: *William H. Gerber*
Number of Signs: 1 Date of return: 1/24/86

Case No. 86-310-A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 19th day of January, 1986.

Arnold Jablon
Zoning Commissioner
Petitioner SYLVAN H. SACH, et al.
Petitioner's Attorney JOHN B. GONTRUM, Esquire
Received by: *James E. Ayer*
Chairman, Zoning Plans/Ad-
visory Committee

12-190-85
Dear Mr. Dyer, 12-20-85
I have 2 items which really need to be reviewed. Item 208 (Sach et al) was supposed to go to settlement by January. It is contingent on the variance requested. C.R.G. has already waived in November. Item 152 is a variance to amend a development plan to include a single family instead of a duplex. No other such variances are needed. It took me several months to get the plan to the satisfaction. Now it is ready.

all the revisions were not necessary. The financing institution is now concerned with the look of development as a whole. My help was in getting us would be appreciated.
V.T.G.
John Dyer

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
January 23, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

John B. Conrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 208 - Case No. 86-310-A
Sylvan H. Sach, et al - Petitioners
Variance Petition

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Dear Mr. Conrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:mr
Enclosures

cc: Spellman, Larson & Associates, Inc.
Suite 107 - Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

Maryland Department of Transportation
State Highway Administration

December 16, 1985

Mr. A. Jablon
County Office Building
Towson, Maryland 21204

Att: James Dyer

Re: Baltimore County
Item 208
Property Owner:
Sylvan H. Sach
Location: SW/S Chesaco
Ave. and SE/S Pulaski
Highway (Route 40-E)
Existing Zoning: B.R.
CS1
Proposed Zoning: Var.
to allow a front yard
setback of 18' from
Pulaski Highway in
lieu of the required 50'
and to allow side and
rear setbacks of 8'
and 10' in lieu of the
required 30', and front
setback of 409.2c for a
setback of 4' in lieu of
the required 8'.
Acres: .51
District: 15th

Dear Mr. Dyer:

On review of the submittal of 11/4/85, and a field inspection, the State Highway Administration offers the following comments.

We (S.H.A.) find the site plan generally acceptable.

However, with a proposed Storm Drain pipe system crossing the S.H.A. Right of Way, a S.H.A. Hydraulic Review will be required.

In addition, the existing S.H.A. Right of Way for the edge of the traveled way at Route 40-E, to the Route 40-E Right of Way, line must be improved with sodding or reseeded, with all gravel and existing access to the S.H.A. Right of Way eliminated.

Very truly yours,
Charles E. Dyer
Chief
Bureau of Engr. Access Permits

CL:GW:es
cc: J. Ogle

by: George Wittman
Telephone number is 301-659-1350
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-485-5000 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3221

ROBERT E. GIBSON
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

January 24, 1986

Re: Zoning Advisory Meeting of December 19, 1985
Item 208
Property Owner: SYLVAN H. SACH
Location: SW/S Chesaco Ave. & SE/S Pulaski Hwy

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

☒ There are no site planning factors requiring comment.
☒ A County Review Group Meeting is required.
☒ Forward by the Bureau of Public Services.
☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract, to be recorded prior to issuance of a building permit.
☒ The access is not satisfactory.
☒ The parking arrangement is not satisfactory.
☒ The circulation on this site is not satisfactory.
☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
☒ The amended Development Plan was approved by the Planning Board on 1/15/86.
☒ Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Sili 175-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Sili 175-79, and as conditions change re-evaluated annually by the County Council.
☒ Additional comments:
A VARIANCE OF C.R.G. PLAN & A PARTIAL VARIANCE
WAS GRANTED BY PLAN. NO. 112185
SEE 112-85-129 (LONG-FOSTER DEVELOPMENT)

cc: James Howell

Eugene A. Robb
Chair, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 208 - Meeting of December 10, 1985
Property Owner: -ZAC-
Location: SW/S Chesaco Ave. & SE/S Pulaski Hwy
Existing Zoning: B.R.
Proposed Zoning: Var.

Acres: .51
District: 15th

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 208, 209, 210, 211, 212, 214, 215, 218, 219, 220, and 221.

MSF/bld

219
86-310

Michael S. Planigan
Traffic Engineering Associate II

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 17, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Sylvan H. Sach
Location: SW/S Chesaco Avenue & SE/S Pulaski Highway
Item No.: 208 Zoning Agenda: Meeting of December 10, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments on the referenced property.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED ZALESKI, JR.
DIRECTOR

December 27, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 208 Zoning Advisory Committee Meeting are as follows:
Property Owner: Sylvan H. Sach
Location: SW/S Chesaco Avenue and SE/S Pulaski Highway
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 811-85. The Maryland Code for the Building Code and Standards (A.M.C. 17-1) - 1980 and other applicable Code and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

5. All Use Groups except 2-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 101.3. No openings are permitted in an exterior wall within 1'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

8. When filing for a required Change of Use/Accessory Permit, an alternative permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are five Use Groups to be _____ or to _____ See Section 312 of the Baltimore County Building Code.

9. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 214.0 of the Building Code as adopted by Bill 811-85. Note that the correct elevation above sea level for the lot and the finished floor levels including basement.

10. Comments: Section 505.2 is applicable. Also show compliance to the State Handicapped Code for parking, curb cuts, signs, building access, etc. etc.

11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If required the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

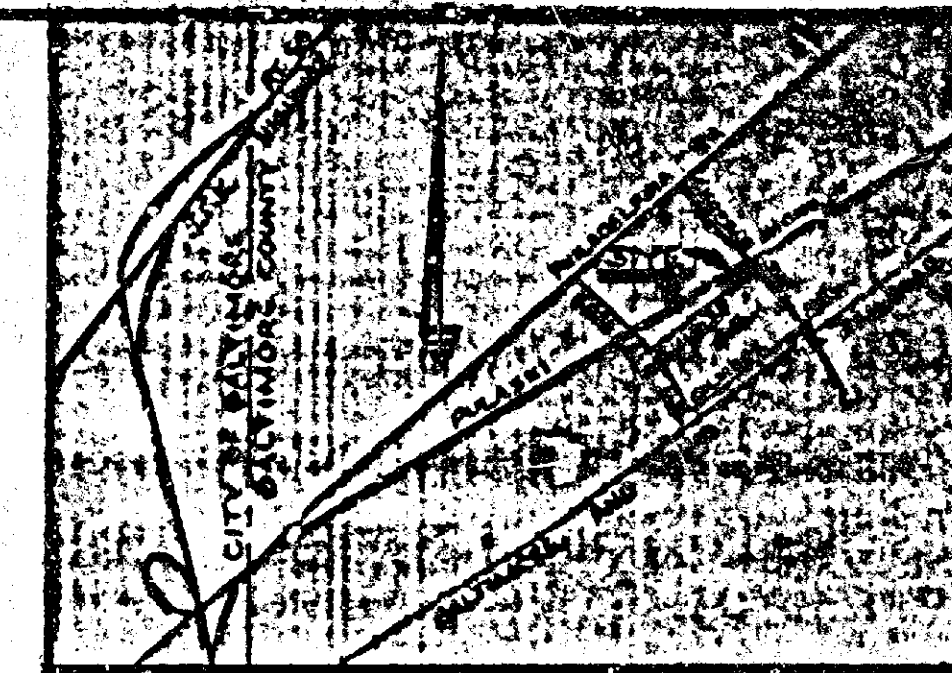
By: C. E. Burman, Chief
Building Plans Review

L27/85

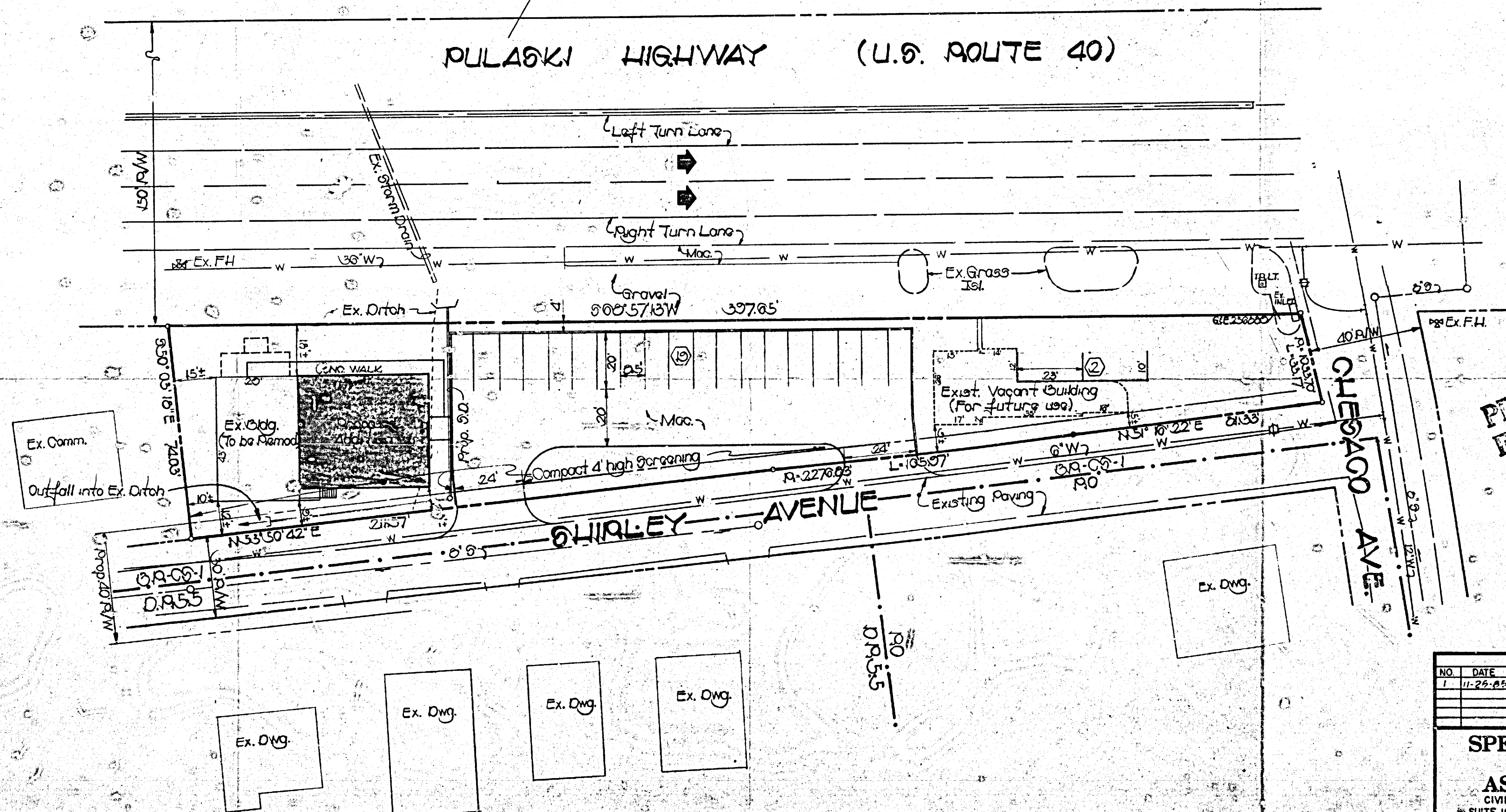
12-23-87

SITE DATA

Area of Site: 0.51 Ac.
 Existing Zoning: B10 - C-5-1
 Prop. Office Floor Area:
 1st Floor - 3000 SF
 2nd Floor - 2000 SF
 Parking Required: $3000/300 = 10$
 Exist. Vacant Bldg. Floor Area:
 1st Floor - 1100 SF
 Parking Required: $1100/300 = 4$
 Total Parking Required: 21 Spaces
 Total Parking Provided: 21 Spaces
 Max. Building height: 40'



VICINITY MAP
 SCALE: 1" = 2000'



**PETITIONER'S
 EXHIBIT 1**



REVISIONS		
NO.	DATE	DESCRIPTION
1	11-29-85	ADDED SETBACKS

**SPELLMAN, LARSON
 &
 ASSOCIATES, INC.**
 CIVIL ENGINEERS AND LAND SURVEYORS
 SUITE 107, JEFFERSON BLDG., TOWSON, MD., 21204
 PHONE: 823-3535

PLAT TO ACCOMPANY
 ZONING PETITION
 7047 PULASKI HWY.
 LONG-FOSTER PROPERTY

15th Election Dist. Ct. Baltimore Co., MD.
 SCALE: 1" = 20' DES. BY: [Signature]
 DATE: NOV. 4, 2005 DWN BY: [Signature] SHT. 1 OF 1

DEVELOPER

LONG-FOSTER REALTY
 Wm JARRAN, FOSTERSON CO.
 2228 S. ELMHURST RD.
 HIGHTSPRIDE, MARYLAND
 22002

MAP NO. 212
4B
E.D. 15
DATE 12-30-86
ZC
1000
DP

86-310-4
#208



86-310-4
#208

Sylvan H. Sach, et al., 86-310-A
Pulaski Highway (7947 Pulaski Highway)
15th Dist.

IN RE: PETITION ZONING VARIANCES
Beginning at the SE corner of
Chesaco Avenue and Pulaski
Highway (7947 Pulaski Highway) - 15th Election District
Sylvan H. Sach, et al.,
Petitioners
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a front yard setback of 18 feet instead of the required 50 feet, a side yard setback of 8 feet instead of the required 30 feet, a rear yard setback of 10 feet instead of the required 30 feet, and a setback of 4 feet instead of the required 8 feet from the street right of way line, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by Betty Bavar, mother and Trustee of Beth Jean Bavar and Robert H. Bavar, appeared and was represented by Counsel. Joseph Larson, a registered engineer, and Warren Patterson, a registered architect in Virginia, also appeared on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, zoned B.R. and containing one-half of an acre, is long and narrow in shape and is bounded by Pulaski Highway to the north, Chesaco Avenue to the east, and Shirley Avenue to the south. To the west is an existing commercial property. A 29' x 43' dwelling is located on the west side of the property and a vacant building is on the east side of the property. A 46' x 39' addition is proposed to be attached to the existing dwelling which is to be remodeled and used as a real estate office. In order to utilize this site for just about anything, variances would

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.1 to allow a front yard setback of 18' from Pulaski Highway for the side of the building in lieu of the required 50' from Pulaski Highway, to allow side and rear yard setbacks of 8' and 10' in lieu of the required 30'; from Section 409.2c, (4) for a setback of 4' in lieu of the required 8'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Use of existing building and enlargement thereon necessitate variance due to configuration of existing building and of parcel.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: V. Wesley Foster, Jr. (Type or Print Name) Signature 3918 Prosperity Avenue Address Fairfax, VA 22031 City and State	Legal Owner(s): Sylvan H. Sach, Peth Jean Bavar (Type or Print Name) Robert A. Bavar Signature (Type or Print Name) Signature City and State
Attorney for Petitioner: John B. Contrum (Type or Print Name) Signature 809 Eastern Blvd. Address Baltimore, Md. 21221 City and State Attorney's Telephone No.: 686-8274	Name, address and phone number of legal owner, contract purchaser or representative to be contacted John B. Contrum 809 Eastern Blvd. 686-8274 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of February, 1986, at 10:00 o'clock

Carl John
Zoning Commissioner of Baltimore County.

(over)

be required. Here, the remodeled office and addition will be set back 18 feet instead of the required 50 feet from Pulaski Highway, 10 feet instead of the required 30 feet from the southwest property line, and 8 feet instead of the required 30 feet from Shirley Avenue.

The proposed real estate office will front on the parking area and face Chesaco Avenue. It is a long-standing policy of the Zoning Commissioner to require that the side yard setback to the side street be the same as the front yard setback required for that particular zone when the building faces in a direction other than towards a side street. Therefore, the Petitioners are requesting a setback of 18 feet instead of the required 50 feet from the Pulaski Highway property line because it is a dual highway. The required side and rear yard setbacks in a B.R. are 30 feet. In addition, the Petitioners request a setback of 4 feet instead of the required 8 feet from the Pulaski Highway right of way line for the parking area.

The Petitioners seek relief from Sections 238.1, 238.2 and 409.2c.(4), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- 2 -

ORDER RECEIVED FOR FILING
DATE January 25 1986
BY *John B. Contrum*

SPELLMAN, LARSON & ASSOCIATES, INC.
SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH P. LARSON
LOUIS J. PASECH, P.E.
ALBERT REHY

DESCRIPTION FOR ZONING, NO. 7947 PULASKI HIGHWAY, 15TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at the corner formed by the intersection of the Southwest side of Chesaco Avenue, 40 feet wide, and the Southeast side of Pulaski Highway (U.S. Route No. 40), 150 feet wide, and running thence and binding on the Southeast side of Pulaski Highway South 68 Degrees 57 Minutes 13 Seconds West 397.65 feet thence leaving the Southeast side of Pulaski Highway and running South 50 Degrees 03 Minutes 18 Seconds East 74.03 feet to the Northwest side of Shirley Avenue, 30 feet wide, and running thence and binding on the Northwest side of Shirley Avenue North 53 Degrees 50 Minutes 42 Seconds East 211.57 feet Northeasterly by a curve to the left with a radius of 2276.83 feet the distance of 105.97 feet and North 51 Degrees 16 Minutes 22 Seconds East 81.33 feet to the Southwest side of Chesaco Avenue herein referred to and running thence and binding on the Southwest side of Chesaco Avenue Northwesterly by a curve to the left with a radius of 1033.70 feet the distance of 33.17 feet to the place of beginning.

Containing 0.51 acres of land, more or less.

11/14/85



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN - LAND SURVEYING
LAND PLANNING - SUBDIVISION LAYOUT - FEASIBILITY STUDIES - ESTIMATING
GRADING STUDIES - LOCATION SURVEYS - TECHNICAL CONSULTATION

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of February, 1986, that the Petition for Zoning Variances to permit a front yard setback of 18 feet instead of the required 50 feet, a side yard setback of 8 feet instead of the required 30 feet, a rear yard setback of 10 feet instead of the required 30 feet, and a setback of 4 feet instead of the required 8 feet from the street right of way line be and is GRANTED, from and after the date of this Order, subject to the following:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for

- 3 -

ORDER RECEIVED FOR FILING
DATE January 25 1986
BY *John B. Contrum*

PETITION FOR ZONING VARIANCES
15th Election District

LOCATION: Beginning at Southeast Corner of Chesaco Avenue and Pulaski Highway (7947 Pulaski Highway)

DATE AND TIME: Wednesday, February 19, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a front yard setback of 18 feet from Pulaski Highway for the side of the building in lieu of the required 50 feet, to permit side and rear yard setbacks of 8 feet and 10 feet in lieu of the required 30 feet; and to permit a setback of 4 feet in lieu of the required 8 feet for parking spaces.

Being the property of Sylvan H. Sach, et al., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES
Beginning SE/Corner Chesaco
Ave. & Pulaski Hwy. (7947
Pulaski Hwy.), 15th District
SYLVAN H. SACH, et al.,
Petitioners
Case No. 86-310-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the
above-captioned matter. Notices should be sent of any hearing dates
or other proceedings in this matter and of the passage of any preliminary
or final order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of January, 1986, a copy
of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire,
809 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioners; and Mr.
P. Wesley Foster, Jr., 3918 Prosperity Ave., Fairfax, VA 22031, Contract
Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

January 17, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
Beg. @ SE/Cor. of Chesaco Ave. and Pulaski Highway
(7947 Pulaski Highway)
SYLVAN H. SACH, et al. - Petitioners
Case No. 86-310-A

TIME: 10:00 a.m.

DATE: Wednesday, February 19, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012383

DATE: 1/25/86 ACCOUNT: 21-615-000

AMOUNT: \$ 100.00

RECEIVED FROM: *Ronald K. Confran, Hanover*

FOR: Variance # 208

B 8054*****1000014 2258F

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 3, 1986

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCES
Beg. @ SE/Cor. Chesaco Ave. and Pulaski Highway
(7947 Pulaski Highway)
15th Election District
SYLVAN H. SACH, et al. - Petitioners
Case No. 86-310-A

Dear Mr. Gontrum:

This is to advise you that \$64.10 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018599

DATE: 2/11/86 ACCOUNT: 21-615-000

AMOUNT: \$ 64.10

RECEIVED FROM: *John B. Gontrum, Esq.*

FOR: *Advertising Posting 86-310-A*

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO: Zoning Commissioner

Date: January 31, 1986

FROM: Norman E. Gerber, AICP, Director

Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-305-A, 86-306-A, 86-310-A and 86-312-A

There are no comprehensive planning factors requiring comment
on these petitions.

NEG:JGH:sjm

Norman E. Gerber
Norman E. Gerber, AICP
Director

PETITION FOR ZONING
VARIANCES
15th Election District

LOCATION: Beginning at South
and Corner of Chesaco Avenue and
Pulaski Highway (7947 Pulaski
Highway)
DATE AND TIME: Wednesday, Feb-
ruary 19, 1986, at 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Bal-
timore County, in accordance with the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing
on the Petition for Zoning Variance to al-
low a front yard setback of 15 feet from
Pulaski Highway for the side of the
building in lot of 50 feet, to allow side
and rear yard setbacks of 5 feet and 10
feet in lot of 30 feet, to allow for a
setback of 4 feet in lot of 5 feet.
Being the property of SYLVAN H.
SACH, et al., as shown on plat plan filed
in the event that this Petition is
granted, a building permit may be
issued within the thirty (30) day appeal
period. The Zoning Commissioner will,
however, entertain any request for a
stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing set
above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 30.

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 30, 1986
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
January 30, 1986

THE JEFFERSONIAN,

JB Kentak

Publisher

Cost of Advertising

27.50

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., January 30, 1986
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
January 30, 1986

THE JEFFERSONIAN,

Publisher

Cost of Advertising

27.50

PETITION FOR ZONING
VARIANCES
15th Election District

LOCATION: Beginning at South
Corner of Chesaco Avenue and
Pulaski Highway (7947 Pulaski
Highway)
DATE AND TIME: Wednesday,
February 19, 1986, at 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Bal-
timore County, in accordance with the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing
on the Petition for Zoning Variance to al-
low a front yard setback of 15 feet
from Pulaski Highway for the side of
the building in lot of 50 feet, to al-
low side and rear yard setbacks of 5
feet and 10 feet in lot of 30 feet, to
allow for a setback of 4 feet in lot
of 5 feet.
Being the property of SYLVAN H.
SACH, et al., as shown on plat plan fi-
led with the Zoning Office.
In the event that this Petition is
granted, a building permit may be is-
sued within the thirty (30) day appeal
period. The Zoning Commissioner will,
however, entertain any request for a
stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing
set above or made at the hearing.

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Jan. 30.

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle
38 N. Dundalk Ave.
Dundalk, Md. 21222
January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement of
Arnold Jablon in the matter of P.O. #73250 - Reg. #
L84176 - 79 Lines @ \$31.60.
was inserted in The Dundalk Eagle a weekly news-
paper published in Baltimore County, Maryland, once a week
for one successive weeks before the
31st day of January 1986; that is to say,
the same was inserted in the issues of Jan. 30, 1986

Kimbel Publication, Inc.

per Publisher.

By *L.C. Oller*

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222
January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement of
Arnold Jablon in the matter of P.O. #73250 - Reg. #
L84176 - 79 Lines @ \$31.60.
was inserted in The Dundalk Eagle a weekly news-
paper published in Baltimore County, Maryland, once a week
for one successive weeks before the
31st day of January 1986; that is to say,
the same was inserted in the issues of Jan. 30, 1986

Kimbel Publication, Inc.

per Publisher.

By *L.C. Oller*

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 15th Date of Posting: 1/24/86

Posted for: Variance

Petitioner: *Sylvan H. Sach, et al.*

Location of property: *Chesaco Ave. & Pulaski Hwy.*

Location of Sign: *7947 Pulaski Hwy.*

Remarks: *Approx. 300' W. Chesaco Ave.*

Posted by: *William H. ...*

Number of Signs: 1

Date of return: 1/24/86

Case No. 86-310-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
13th day of January, 1986.

Arnold Jablon
Zoning Commissioner

Petitioner: *Sylvan H. Sach, et al.*
Received by: *James E. Ayer*
Chairman, Zoning Plans/Ad-
visory Committee

Attorney: *John B. Gontrum, Esquire*

12-190-85
Dear Mr. Dyer, 12-20-85
I have 2 items which really need to be reviewed. Item 208 (Sach et al) was supposed to go to settlement by January. It is contingent on the variance requested. C.R.G. has already written in November.
Item 152 is a variance to amend a development plan to include a single family instead of a duplex. No other such variances are needed. It took me several months to get the plan to the satisfaction. Now it is ready.

all the revisions were not necessary. The financing institution is now concerned with the look of development as a whole. My help was in getting us would be appreciated.
V.T.G.
John Dyer

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
January 23, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

John B. Conrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 208 - Case No. 86-310-A
Sylvan H. Sach, et al - Petitioners
Variance Petition

Dear Mr. Conrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:mr
Enclosures

cc: Spellman, Larson & Associates, Inc.
Suite 107 - Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

Maryland Department of Transportation
State Highway Administration

December 16, 1985

Mr. A. Jablon
County Office Building
Towson, Maryland 21204

Att: James Dyer

Re: Baltimore County
Item 208
Property Owner:
Sylvan H. Sach
Location: SW/S Chesaco
Ave. and SE/S Pulaski
Highway (Route 40-E)
Existing Zoning: B.R.
CS1
Proposed Zoning: Var.
to allow a front yard
setback of 18' from
Pulaski Highway in
lieu of the required 50'
and to allow side and
rear setbacks of 8'
and 10' in lieu of the
required 30', and front
setback of 409.2c for a
setback of 4' in lieu of
the required 8'.
Acres: .51
District: 15th

Dear Mr. Dyer:

On review of the submittal of 11/4/85, and a field inspection, the State Highway Administration offers the following comments.

We (S.H.A.) find the site plan generally acceptable.

However, with a proposed Storm Drain pipe system crossing the S.H.A. Right of Way, a S.H.A. Hydraulic Review will be required.

In addition, the existing S.H.A. Right of Way for the edge of the traveled way at Route 40-E, to the Route 40-E Right of Way, line must be improved with sodding or reseeded, with all gravel and existing access to the S.H.A. Right of Way eliminated.

Very truly yours,
Charles E. Wittman, Chief
Bureau of Engr. Access Permits

CL:GW:es
cc: J. Ogle

by: George Wittman
My telephone number is 301-659-1350

Telephones for Urgent Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-485-5000 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3221

ROSEMARY E. GIBSON
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

January 24, 1986

Re: Zoning Advisory Meeting of December 19, 1985
Item 208
Property Owner: SYLVAN H. SACH
Location: SW/S CHESACO AVE. & SE/S PULASKI HWY.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

☒ There are no site planning factors requiring comment.
☒ A County Review Group Meeting is required.
☒ Forward by the Bureau of Public Services.
☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract, to be recorded prior to issuance of a building permit.
☒ The access is not satisfactory.
☒ The parking arrangement is not satisfactory.
☒ The circulation on this site is not satisfactory.
☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
☒ The amended Development Plan was approved by the Planning Board on [blank].
☒ Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Sili 175-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Sili 175-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
☒ Additional comments:
A VARIANCE OF C.R.G. PLAN & A PARTIAL VARIANCE
WAS GRANTED BY PLAN. NO. 112185
SEE 112-85-129 (LONG-FOSTER DEVELOPMENT)

cc: James Howell

Eugene A. Robb
Chair, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 208 - Meeting of December 10, 1985
Property Owner: -ZAC-
Location: SW/S Chesaco Avenue & SE/S Pulaski Highway
Existing Zoning: B.R.
Proposed Zoning: Var.

Acres: [blank]
District: [blank]

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered (208) 209, 210, 211, 212, 214, 215, 218, 219, 220, and 221.

MSF/bld

219
86-310

Michael S. Planigan
Traffic Engineering Associate II

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 17, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Sylvan H. Sach
Location: SW/S Chesaco Avenue & SE/S Pulaski Highway
Item No.: 208 Zoning Agenda: Meeting of December 10, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of [blank] feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at [blank] EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments on the site plan.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED ZALESKI, JR.
DIRECTOR

December 27, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 208 Zoning Advisory Committee Meeting are as follows:
Property Owner: Sylvan H. Sach
Location: SW/S Chesaco Avenue and SE/S Pulaski Highway
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

(1) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 811-85. The Maryland Code for the Building Code and Standards (A.M.C. 17-1) - 1980 and other applicable Code and Standards.

(2) A building and other miscellaneous permits shall be required before the start of any construction.

(3) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

(4) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

(5) All Use Groups except 2-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 101.3. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

(6) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

(7) The requested variance appears to conflict with Section(s) [blank] of the Baltimore County Building Code.

(8) When filing for a required Change of Use/Accessory Permit, an alternative permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are five Use Groups to be [blank] or to [blank]. See Section 312 of the Baltimore County Building Code.

(9) The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 214.0 of the Building Code as adopted by Bill 811-85. Note that the correct elevation above sea level for the lot and the finished floor levels including basement.

(10) Comments: Section 505.2 is applicable. Also show compliance to the State Handicapped Code for parking, curb cuts, signs, building access, etc. etc.

(11) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

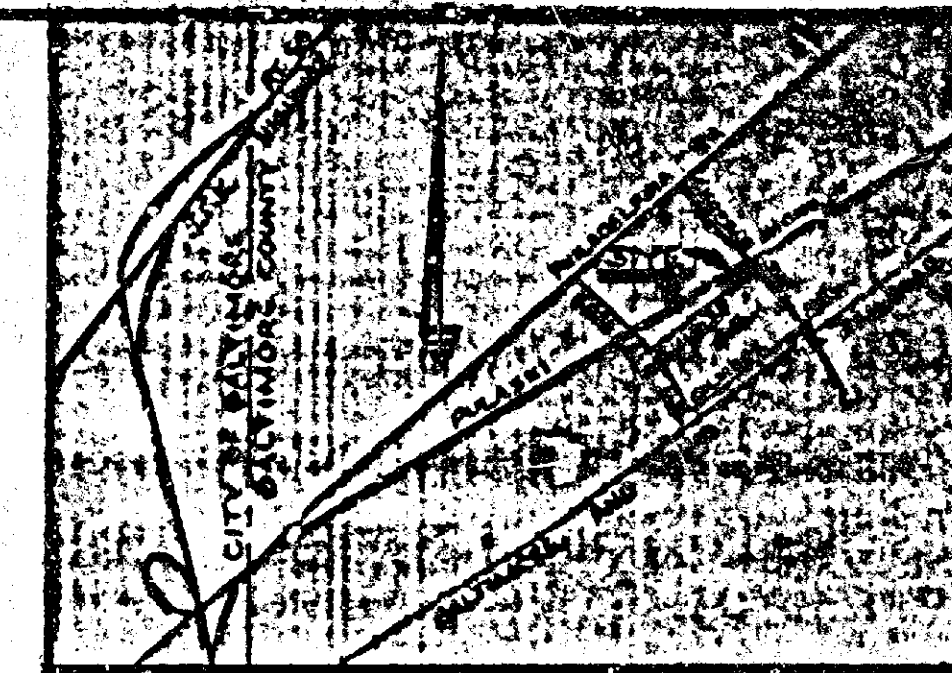
By: C. E. Burman, Chief
Building Plans Review

L27/MS

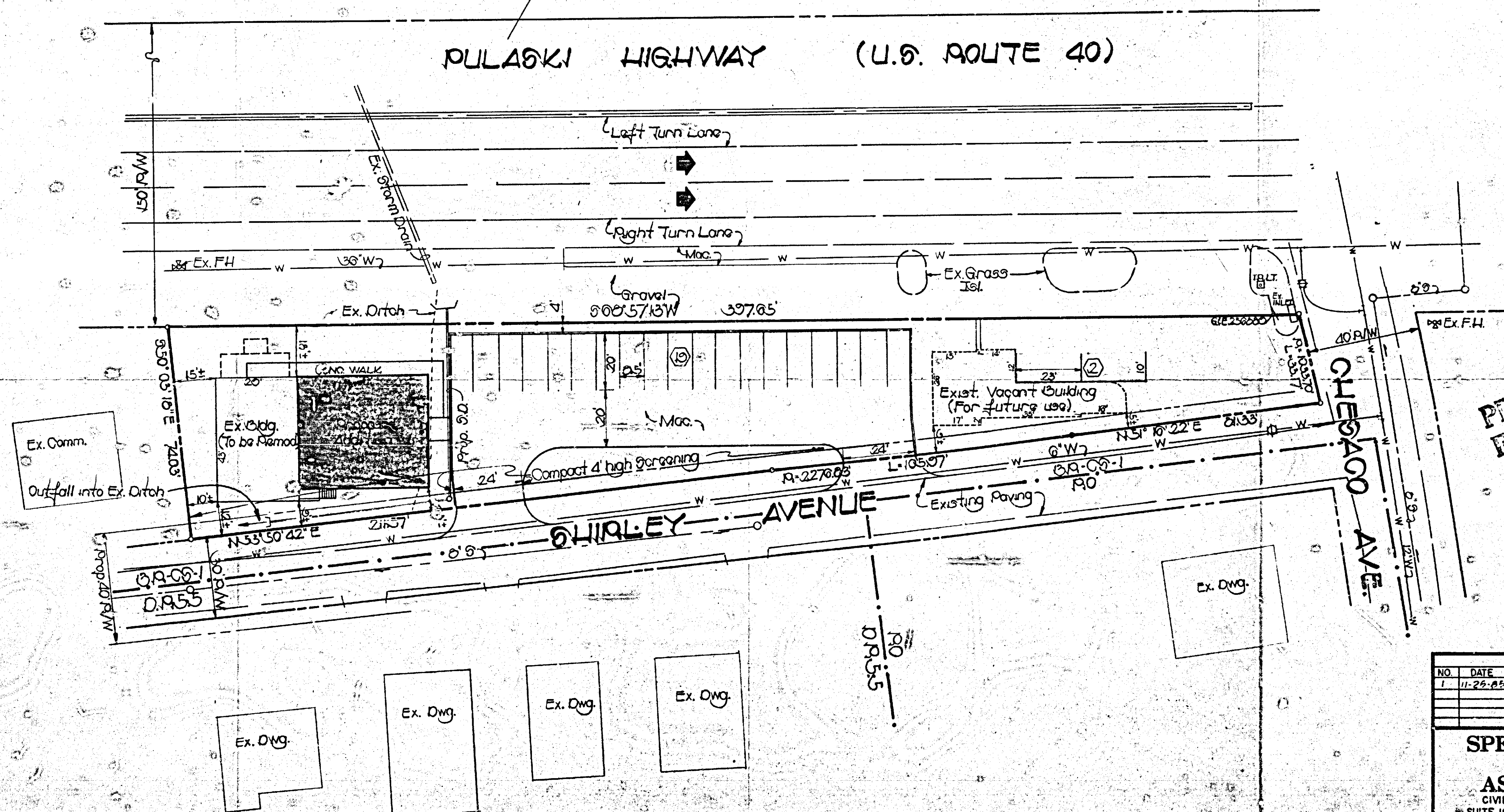
12-23-85

SITE DATA

Area of Site: 0.51 Ac.
 Existing Zoning: B10 - C-5-1
 Prop. Office Floor Area:
 1st Floor - 3000 SF
 2nd Floor - 2000 SF
 Parking Required: $3000/300 = 10$
 Exist. Vacant Bldg. Floor Area:
 1st Floor - 1100 SF
 Parking Required: $1100/300 = 4$
 Total Parking Required: 21 Spaces
 Total Parking Provided: 21 Spaces
 Max. Building height: 40'



VICINITY MAP
 SCALE: 1" = 2000'



PETITIONER'S
 EXHIBIT 1



REVISIONS		
NO.	DATE	DESCRIPTION
1	11-29-85	ADDED SETBACKS

SPELLMAN, LARSON & ASSOCIATES, INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 SUITE 107, JEFFERSON BLDG., TOWSON, MD., 21204
 PHONE: 823-3535

PLAT TO ACCOMPANY
 ZONING PETITION
 7047 PULASKI HWY.
 LONG-FOSTER PROPERTY

15th Election Dist. Ct. - Baltimore Co., MD.
 SCALE: 1" = 20' DES. BY: [Signature]
 DATE: NOV. 4, 2005 DWN BY: [Signature] SHT. 1 OF 1

DEVELOPER

LONG-FOSTER REALTY
 Wm JARRAN, FOSTERSON CO.
 2228 S. ELMHURST RD.
 HIGHTSPRING, MARYLAND
 20886

MAP REF 4B
E.D. 15
DATE 12-30-86
ZC
1000
DP

86-310-4
#208



86-310-4
#208

Sylvan H. Sach, et al, 86-310-A
Pulaski Highway (7947 Pulaski Highway)
15th Dist.

IN RE: PETITION ZONING VARIANCES
Beginning at the SE corner of
Chesaco Avenue and Pulaski
Highway (7947 Pulaski Highway) - 15th Election District
Sylvan H. Sach, et al,
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-310-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a front yard setback of 18 feet instead of the required 50 feet, a side yard setback of 8 feet instead of the required 30 feet, a rear yard setback of 10 feet instead of the required 30 feet, and a setback of 4 feet instead of the required 8 feet from the street right of way line, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by Betty Bavar, mother and Trustee of Beth Jean Bavar and Robert H. Bavar, appeared and was represented by Counsel. Joseph Larson, a registered engineer, and Warren Patterson, a registered architect in Virginia, also appeared on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, zoned B.R. and containing one-half of an acre, is long and narrow in shape and is bounded by Pulaski Highway to the north, Chesaco Avenue to the east, and Shirley Avenue to the south. To the west is an existing commercial property. A 29' x 43' dwelling is located on the west side of the property and a vacant building is on the east side of the property. A 46' x 39' addition is proposed to be attached to the existing dwelling which is to be remodeled and used as a real estate office. In order to utilize this site for just about anything, variances would

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.1 to allow a front yard setback of 18' from Pulaski Highway for the side of the building in lieu of the required 50' from Pulaski Highway, to allow side and rear yard setbacks of 8' and 10' in lieu of the required 30'; from Section 409.2c, (4) for a setback of 4' in lieu of the required 8'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Use of existing building and enlargement thereon necessitate variance due to configuration of existing building and of parcel.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: V. Wesley Foster, Jr. (Type or Print Name) Signature 3918 Prosperity Avenue Address Fairfax, VA 22031 City and State	Legal Owner(s): Sylvan H. Sach, Peth Jean Bavar (Type or Print Name) Robert A. Bavar Signature (Type or Print Name) Signature City and State
Attorney for Petitioner: John B. Contrum (Type or Print Name) Signature 809 Eastern Blvd. Address Baltimore, Md. 21221 City and State Attorney's Telephone No.: 686-8274	Name, address and phone number of legal owner, contract purchaser or representative to be contacted John B. Contrum 809 Eastern Blvd. 686-8274 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day

of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 19th day of February, 1986, at 10:00 o'clock

Carl John
Zoning Commissioner of Baltimore County.

(over)

be required. Here, the remodeled office and addition will be set back 18 feet instead of the required 50 feet from Pulaski Highway, 10 feet instead of the required 30 feet from the southwest property line, and 8 feet instead of the required 30 feet from Shirley Avenue.

The proposed real estate office will front on the parking area and face Chesaco Avenue. It is a long-standing policy of the Zoning Commissioner to require that the side yard setback to the side street be the same as the front yard setback required for that particular zone when the building faces in a direction other than towards a side street. Therefore, the Petitioners are requesting a setback of 18 feet instead of the required 50 feet from the Pulaski Highway property line because it is a dual highway. The required side and rear yard setbacks in a B.R. are 30 feet. In addition, the Petitioners request a setback of 4 feet instead of the required 8 feet from the Pulaski Highway right of way line for the parking area.

The Petitioners seek relief from Sections 238.1, 238.2 and 409.2c.(4), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- 2 -

ORDER RECEIVED FOR FILING
DATE January 25 1986
BY *Carl John*
ZONING COMMISSIONER

SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH P. LARSON
LOUIS J. PASECH, P.E.
ALBERT RENEY

DESCRIPTION FOR ZONING, NO. 7947 PULASKI HIGHWAY, 15TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at the corner formed by the intersection of the Southwest side of Chesaco Avenue, 40 feet wide, and the Southeast side of Pulaski Highway (U.S. Route No. 40), 150 feet wide, and running thence and binding on the Southeast side of Pulaski Highway South 68 Degrees 57 Minutes 13 Seconds West 397.65 feet thence leaving the Southeast side of Pulaski Highway and running South 50 Degrees 03 Minutes 18 Seconds East 74.03 feet to the Northwest side of Shirley Avenue, 30 feet wide, and running thence and binding on the Northwest side of Shirley Avenue North 53 Degrees 50 Minutes 42 Seconds East 211.57 feet Northeasterly by a curve to the left with a radius of 2276.83 feet the distance of 105.97 feet and North 51 Degrees 16 Minutes 22 Seconds East 81.33 feet to the Southwest side of Chesaco Avenue herein referred to and running thence and binding on the Southwest side of Chesaco Avenue Northwesterly by a curve to the left with a radius of 1033.70 feet the distance of 33.17 feet to the place of beginning.

Containing 0.51 acres of land, more or less.

11/14/85



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN - LAND SURVEYING
LAND PLANNING - SUBDIVISION LAYOUT - FEASIBILITY STUDIES - ESTIMATING
GRADING STUDIES - LOCATION SURVEYS - TECHNICAL CONSULTATION

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of February, 1986, that the Petition for Zoning Variances to permit a front yard setback of 18 feet instead of the required 50 feet, a side yard setback of 8 feet instead of the required 30 feet, a rear yard setback of 10 feet instead of the required 30 feet, and a setback of 4 feet instead of the required 8 feet from the street right of way line be and is GRANTED, from and after the date of this Order, subject to the following:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for

- 3 -

ORDER RECEIVED FOR FILING
DATE January 25 1986
BY *Carl John*
ZONING COMMISSIONER

PETITION FOR ZONING VARIANCES
15th Election District

LOCATION: Beginning at Southeast Corner of Chesaco Avenue and Pulaski Highway (7947 Pulaski Highway)

DATE AND TIME: Wednesday, February 19, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit a front yard setback of 18 feet from Pulaski Highway for the side of the building in lieu of the required 50 feet, to permit side and rear yard setbacks of 8 feet and 10 feet in lieu of the required 30 feet; and to permit a setback of 4 feet in lieu of the required 8 feet for parking spaces.

Being the property of Sylvan H. Sach, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES
Beginning SE/Corner Chesaco
Ave. & Pulaski Hwy. (7947
Pulaski Hwy.), 15th District
SYLVAN H. SACH, et al.,
Petitioners
Case No. 86-310-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the
above-captioned matter. Notices should be sent of any hearing dates
or other proceedings in this matter and of the passage of any preliminary
or final order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of January, 1986, a copy
of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire,
809 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioners; and Mr.
P. Wesley Foster, Jr., 3918 Prosperity Ave., Fairfax, VA 22031, Contract
Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

January 17, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
Beg. @ SE/Cor. of Chesaco Ave. and Pulaski Highway
(7947 Pulaski Highway)
SYLVAN H. SACH, et al. - Petitioners
Case No. 86-310-A

TIME: 10:00 a.m.

DATE: Wednesday, February 19, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012383

DATE 1/25/86 ACCOUNT 01-615-000

AMOUNT \$ 100.00

RECEIVED FROM *Ronald R. Confran, Hanover*

FOR: Variance # 208

B 8054*****1000014 2258F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 3, 1986

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCES
Beg. @ SE/Cor. Chesaco Ave. and Pulaski Highway
(7947 Pulaski Highway)
15th Election District
SYLVAN H. SACH, et al. - Petitioners
Case No. 86-310-A

Dear Mr. Gontrum:

This is to advise you that \$64.10 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018599

DATE 2/11/86 ACCOUNT 01-615-000

AMOUNT \$ 64.10

RECEIVED FROM *John B. Gontrum, Esq.*

FOR: *Advertising Posting 86-310-A*

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO: Zoning Commissioner

Date: January 31, 1986

Norman E. Gerber, AICP, Director

FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-305-A, 86-306-A, 86-310-A and 86-312-A

There are no comprehensive planning factors requiring comment
on these petitions.

NEG:JGH:sjm

Norman E. Gerber
Norman E. Gerber, AICP
Director

PETITION FOR ZONING
VARIANCES
15th Election District

LOCATION: Beginning at South
and Corner of Chesaco Avenue and
Pulaski Highway (7947 Pulaski
Highway)
DATE AND TIME: Wednesday, Feb-
ruary 19, 1986, at 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Bal-
timore County, by authority of the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing
Petition for Zoning Variance to al-
low a front yard setback of 15 feet from
Pulaski Highway for the side of the
building in lot of 50 feet, to allow side
and rear yard setbacks of 5 feet and 10
feet in lot of 30 feet, to allow for a
setback of 4 feet in lot of 5 feet.
Being the property of SYLVAN H.
SACH, et al., as shown on plat plan filed
in the event that this Petition is
granted, a building permit may be is-
sued within the thirty (30) day appeal
period. The Zoning Commissioner will,
however, entertain any request for a
stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing set
above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 30.

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 30, 1986
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
January 30, 1986

THE JEFFERSONIAN,

78 Kentish

Publisher

Cost of Advertising

27.50

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., January 30, 1986
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
January 30, 1986

THE JEFFERSONIAN,

Publisher

Cost of Advertising

27.50

PETITION FOR ZONING
VARIANCES
15th Election District

LOCATION: Beginning at South
Corner of Chesaco Avenue and Pulaski
Highway (7947 Pulaski Highway)
DATE AND TIME: Wednesday,
February 19, 1986, at 10:00 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W. Ches-
apeake Avenue, Towson, Maryland

The Zoning Commissioner of Bal-
timore County, by authority of the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing
Petition for Zoning Variance to al-
low a front yard setback of 15 feet from
Pulaski Highway for the side of the
building in lot of 50 feet, to allow side
and rear yard setbacks of 5 feet and 10
feet in lot of 30 feet, to allow for a
setback of 4 feet in lot of 5 feet.
Being the property of SYLVAN H.
SACH, et al., as shown on plat plan filed
in the event that this Petition is
granted, a building permit may be is-
sued within the thirty (30) day appeal
period. The Zoning Commissioner will,
however, entertain any request for a
stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing set
above or made at the hearing.

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Jan. 30.

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle
38 N. Dundalk Ave.
Dundalk, Md. 21222
January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement of
Arnold Jablon in the matter of P.O. #73250 - Reg. #
L84176 - 79 Lines @ \$31.60.
was inserted in The Dundalk Eagle a weekly news-
paper published in Baltimore County, Maryland, once a week
for one successive weeks before the
31st day of January 1986; that is to say,
the same was inserted in the issues of Jan. 30, 1986

Kimbel Publication, Inc.

per Publisher.

By *L.C. Oller*

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle
38 N. Dundalk Ave.
Dundalk, Md. 21222
January 30, 1986

THIS IS TO CERTIFY, that the annexed advertisement of
Arnold Jablon in the matter of P.O. #73250 - Reg. #
L84176 - 79 Lines @ \$31.60.
was inserted in The Dundalk Eagle a weekly news-
paper published in Baltimore County, Maryland, once a week
for one successive weeks before the
31st day of January 1986; that is to say,
the same was inserted in the issues of Jan. 30, 1986

Kimbel Publication, Inc.

per Publisher.

By *L.C. Oller*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 1/24/86
Posted for: Variance
Petitioner: *Sylvan H. Sach, et al.*
Location of property: *Chesaco Ave. & Pulaski Hwy.*
7947 Pulaski Hwy.
Location of Sign: *Facing Pulaski Hwy, approx. 10' from side of road, at lot corner.*
Approx. 300' W. Chesaco Ave.
Remarks: *See above.*
Posted by: *William H. Gerber* Date of return: 1/24/86
Number of Signs: 1

Case No. 86-310-A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
13th day of January, 1986.

Arnold Jablon
Zoning Commissioner
Petitioner: *Sylvan H. Sach, et al.* Received by: *James E. Ayer*
Petitioner's Attorney: *John B. Gontrum, Esquire* Chairman, Zoning Plans/Ad-
visory Committee

12-190-85
Dear Mr. Dyer, 12-20-85
I have 2 items which really need to be reviewed. Item 208 (Sach et al) was supposed to go to settlement by January. It is contingent on the variance requested. C.R.G. has already waived in November. Item 152 is a variance to amend a development plan to include a single family instead of a duplex. No other such variances are needed. It took me several months to get the plan to the satisfaction. Now it is ready.

all the revisions were not necessary. The financing institution is now concerned with the look of development as a whole. My help was in getting us would be appreciated.
W.T.G.
John B. Contrum

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
January 23, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

John B. Contrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 208 - Case No. 86-310-A
Sylvan H. Sach, et al - Petitioners
Variance Petition

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Dear Mr. Contrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:mr
Enclosures

cc: Spellman, Larson & Associates, Inc.
Suite 107 - Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

Maryland Department of Transportation
State Highway Administration

December 16, 1985

Mr. A. Jablon
County Office Building
Towson, Maryland 21204

Att: James Dyer

Re: Baltimore County
Item 208
Property Owner:
Sylvan H. Sach
Location: SW/S Chesaco
Ave. and SE/S Pulaski
Highway (Route 40-E)
Existing Zoning: B.R.
CS1
Proposed Zoning: Var.
to allow a front yard
setback of 18' from
Pulaski Highway in
lieu of the required 50'
and to allow side and
rear setbacks of 8'
and 10' in lieu of the
required 30', and front
setback of 409.2c for a
setback of 4' in lieu of
the required 8'.
Acres: .51
District: 15th

Dear Mr. Dyer:

On review of the submittal of 11/4/85, and a field inspection, the State Highway Administration offers the following comments.

We (S.H.A.) find the site plan generally acceptable.

However, with a proposed Storm Drain pipe system crossing the S.H.A. Right of Way, a S.H.A. Hydraulic Review will be required.

In addition, the existing S.H.A. Right of Way for the edge of the traveled way at Route 40-E, to the Route 40-E Right of Way, line must be improved with sodding or reseeded, with all gravel and existing access to the S.H.A. Right of Way eliminated.

Very truly yours,
Charles E. Wittman, Chief
Bureau of Engr. Access Permits

CL:GW:es
cc: J. Ogle

by: George Wittman
My telephone number is 301-659-1350

Telephones for Urgent Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-485-5000 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3221

ROBERT E. GIBSON
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

January 24, 1986

Re: Zoning Advisory Meeting of December 19, 1985
Item 208
Property Owner: SYLVAN H. SACH
Location: SW/S Chesaco Ave. & SE/S Pulaski Hwy

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

☒ There are no site planning factors requiring comment.
☒ A County Review Group Meeting is required.
☒ Forward by the Bureau of Public Services.
☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract, to be recorded prior to issuance of a building permit.
☒ The access is not satisfactory.
☒ The parking arrangement is not satisfactory.
☒ The circulation on this site is not satisfactory.
☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
☒ The amended Development Plan was approved by the Planning Board on 1/15/86.
☒ Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Sili 175-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Sili 175-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
☒ Additional comments:
A VARIANCE OF C.R.G. PLAN & A PARTIAL VARIANCE
WAS GRANTED BY PLAN. NO. 112185
SEE 112-85-129 (LONG-FOSTER DEVELOPMENT)

cc: James Howell

Eugene A. Robb
Chair, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 208 - Meeting of December 10, 1985
Property Owner: -ZAC-
Location: SW/S Chesaco Avenue & SE/S Pulaski Highway
Existing Zoning: B.R.
Proposed Zoning: Var.

Acres: .51
District: 15th

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 208, 209, 210, 211, 212, 214, 215, 218, 219, 220, and 221.

MSF/blb

219
86-310

Michael S. Planigan
Traffic Engineering Associate II

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 17, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Sylvan H. Sach
Location: SW/S Chesaco Avenue & SE/S Pulaski Highway
Item No.: 208 Zoning Agenda: Meeting of December 10, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments on the referenced property.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED ZALESKI, JR.
DIRECTOR

December 27, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 208 Zoning Advisory Committee Meeting are as follows:
Property Owner: Sylvan H. Sach
Location: SW/S Chesaco Avenue and SE/S Pulaski Highway
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

(1) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 811-85. The Maryland Code for the Building Code and Standards (A.M.C. 17-1) - 1980 and other applicable Code and Standards.

(2) A building and other miscellaneous permits shall be required before the start of any construction.

(3) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

(4) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

(5) All Use Groups except 2-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. All Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 101.3. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

(6) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

(7) The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

(8) When filing for a required Change of Use/Accessory Permit, an alternative permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are five Use Groups to be _____ or to _____ See Section 312 of the Baltimore County Building Code.

(9) The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 214.0 of the Building Code as adopted by Bill 811-85. Note that the correct elevation above sea level for the lot and the finished floor levels including basement.

(10) Comments: Section 505.2 is applicable. Also show compliance to the State Handicapped Code for parking, curb cuts, signs, building access, etc. etc.

(11) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If required the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

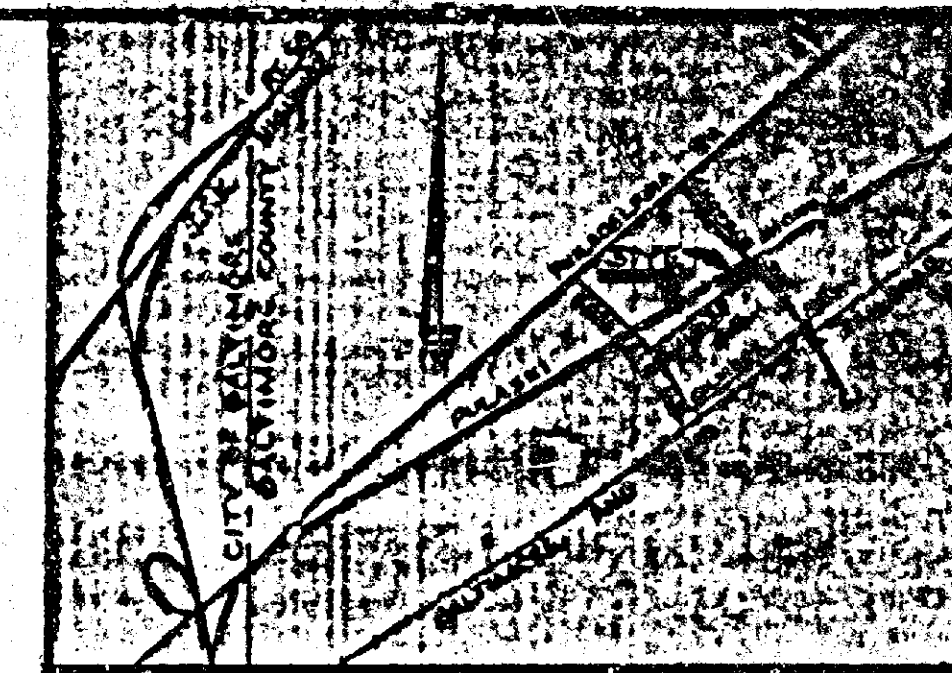
By: C. E. Burman, Chief
Building Plans Review

L27/85

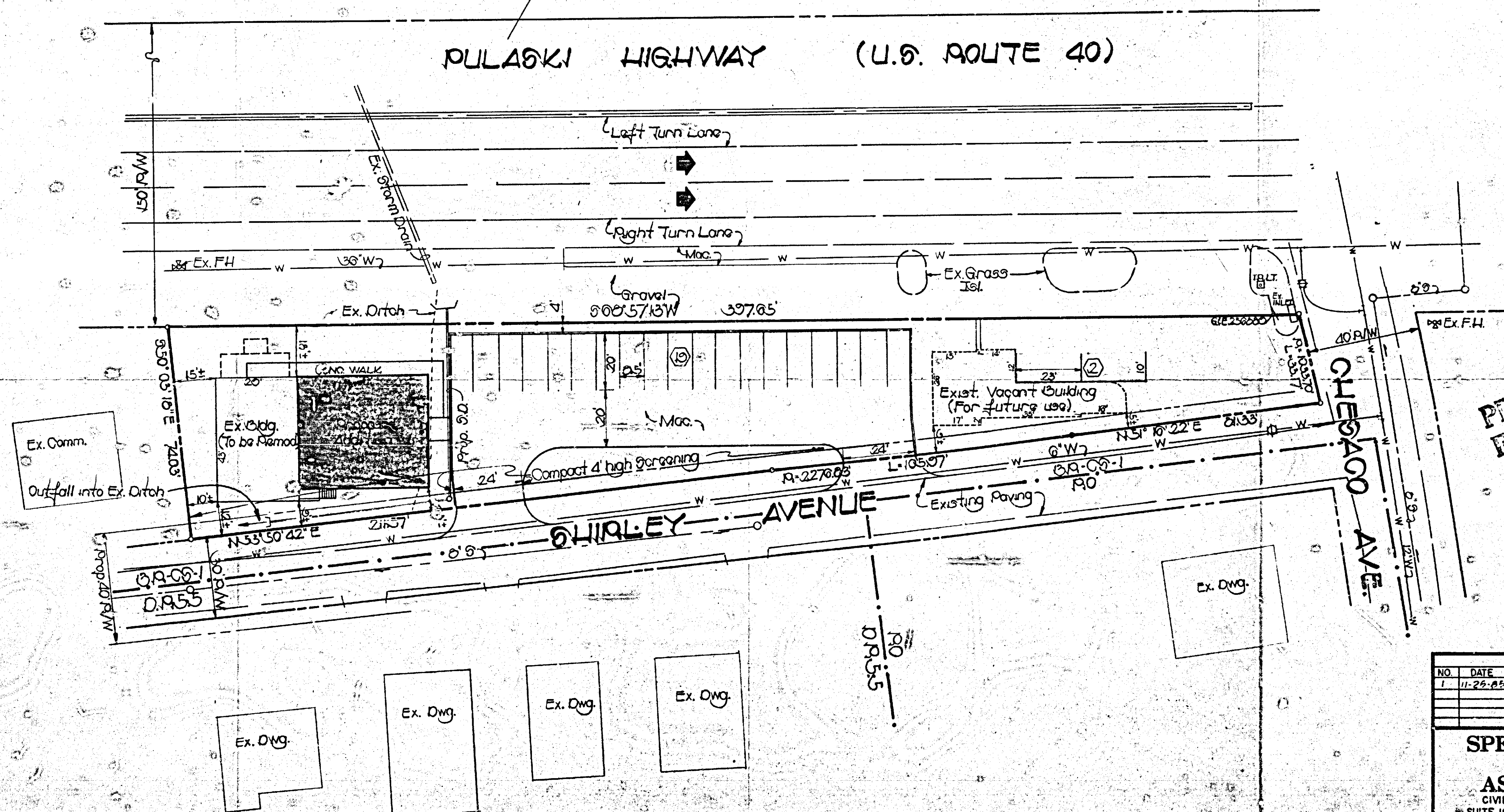
12-23-85

SITE DATA

Area of Site: 0.51 Ac.
 Existing Zoning: B10 - C-5-1
 Prop. Office Floor Area:
 1st Floor - 3000 SF
 2nd Floor - 2000 SF
 Parking Required: $3000/300 = 10$
 Exist. Vacant Bldg. Floor Area:
 1st Floor - 1100 SF
 Parking Required: $1100/300 = 4$
 Total Parking Required: 21 Spaces
 Total Parking Provided: 21 Spaces
 Max. Building height: 40'



VICINITY MAP
 SCALE: 1" = 2000'



PETITIONER'S EXHIBIT 1



REVISIONS		
NO.	DATE	DESCRIPTION
1	11-29-85	ADDED SETBACKS

SPELLMAN, LARSON & ASSOCIATES, INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 SUITE 107, JEFFERSON BLDG., TOWSON, MD., 21204
 PHONE: 823-3535

PLAT TO ACCOMPANY
 ZONING PETITION
 7047 PULASKI HWY.
 LONG-FOSTER PROPERTY

15th Election Dist. Et. Baltimore Co., MD.
 SCALE: 1" = 20' DES. BY: [Signature]
 DATE: NOV. 4, 2005 DWN BY: [Signature] SHT. 1 OF 1

DEVELOPER

LONG-FOSTER REALTY
 Wm JARRAN, FOSTERSON CO.
 2228 S. ELMHURST RD.
 HIGHTSPRING, MARYLAND
 20886